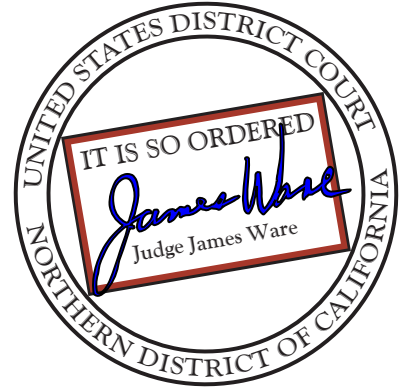


[LIST OF COUNSEL APPEARS ON LAST PAGE]



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Plaintiff,

v.

MICRO THERAPEUTICS, INC., a Delaware
corporation, and DENDRON GmbH, a German
corporation,

Defendant,

MICRO THERAPEUTICS, INC., a Delaware
corporation, and DENDRON GmbH, a German
corporation,

Third Party Plaintiffs,

v.

BOSTON SCIENTIFIC CORPORATION,
a Delaware corporation, and TARGET
THERAPEUTICS, INC. a Delaware corporation,

Third Party Defendants.

Case No. C 03 05669 JW (RS)

**JOINT STIPULATION AND [PROPOSED]
ORDER TO SET PRETRIAL DEADLINES
FOR COURT TRIAL ON INEQUITABLE
CONDUCT**

Pursuant to the Pretrial Conference of September 7, 2007 and the Court's Order re: Final Pretrial Conference entered on September 12, 2007 (Dkt. No. 907), Plaintiff and Counterdefendant The Regents of the University of California ("The Regents"), Defendants and Counterclaimants Micro Therapeutics, Inc., Dendron GmbH, and ev3 Inc. (collectively "MTI") hereby stipulate to the following pretrial schedule for the court trial on inequitable conduct.

These deadlines shall supersede prior schedules entered by the Court on May 1, 2007 (Dkt. No. 602) and August 20, 2007 (Dkt. No. 861-2).

INEQUITABLE CONDUCT PRETRIAL DISCLOSURES	DEADLINES
Last day for the parties to file and serve Motion(s) <i>In Limine</i> (Round 2), which will be limited to motions regarding the Inequitable Conduct court trial	September 14, 2007
Last day for the parties to exchange: <ul style="list-style-type: none"> (1) Initial witness list (2) Initial deposition or other discovery excerpts (3) Initial exhibit list Note: Except those offered for impeachment or rebuttal	September 17, 2007
Last day for the parties to file and serve any Opposition to Motion(s) <i>In Limine</i> (Round 2)	September 20, 2007
Last day for the parties to serve objections to: <ul style="list-style-type: none"> (1) Initial witness list (2) Initial exhibit list (3) Initial deposition or other discovery excerpts Last day for the parties to identify counter-designations of deposition or other discovery excerpts	September 21, 2007
Last day to file Joint Pretrial Conference Statement	September 24, 2007
Hearing on the following: <ul style="list-style-type: none"> (1) The Regents' Motion for Summary Judgment of Infringement (2) Motion(s) <i>In Limine</i> (Round 2) 	September 24, 2007 (4:00 p.m.) ¹
Last day for the parties to serve: <ul style="list-style-type: none"> (1) Objections to counter-designations of deposition or other discovery excerpts (2) Rebuttal deposition or other discovery designations 	September 26, 2007

¹ The Court has indicated that if the case scheduled for trial on September 25, 2007 is resolved or continued, the hearings set for September 24, 2007 will be reset for September 25, 2007 at 9:00 a.m.

INEQUITABLE CONDUCT PRETRIAL DISCLOSURES	DEADLINES
Last day for the parties to serve objections on rebuttal deposition or other discovery designations Last day for parties to meet-and-confer regarding trial exhibits and objections	September 28, 2007
Exchange premarked exhibits	October 1, 2007
Final Pretrial Conference; parties shall lodge the following: (1) Final joint witness list (2) Final joint exhibit list (3) Lodge premarked exhibits and discovery excerpts (including deposition and written discovery excerpts)	October 2, 2007 (1:30 p.m.)
Parties shall file and serve trial briefs	October 9, 2007
Court Trial; each party shall submit its proposed findings of fact and conclusions of law	October 16, 2007 Trial begins at 1:00 p.m. and continues through November 2, 2007

IT IS SO STIPULATED.

ATTESTATION

Concurrence in the filing of this document has been obtained from the other signatories.

Dated: September 14, 2007

By: /s/ Patrick Premo

Lynn H. Pasahow (SBN 054283)
Charlene M. Morrow (SBN 136411)
Patrick E. Premo (SBN 184915)
FENWICK & WEST LLP
Attorneys for Plaintiff/Counterdefendant
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

1 Dated: September 14, 2007

By: /s/ David E. Jones

John S. Skilton (*Pro Hac Vice*)

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David E. Jones (*Pro Hac Vice*)

HELLER EHRMAN LLP

Attorneys for Defendants/Counterclaimants

MICRO THERAPEUTICS, INC. and DENDRON GMBH

7 **ORDER**

9 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

11 Dated: September 26, 2007


The Honorable James Ware
United States District Judge

1272791

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW